

**WASHINGTON STATE BOUNDARY REVIEW BOARD  
FOR KING COUNTY**

**REGULAR MEETING MINUTES**

**November 9, 2005**

**Bellevue Fire Station  
12412 SE 69<sup>th</sup> Way  
Bellevue, Washington**

**I. CALL TO ORDER**

Chair Tessandore convened the meeting at 7:00 P.M.

**II. ROLL CALL**

Evangeline Anderson	Charles Booth
Robert Cook	A. J. Culver
Ethel Hanis	Claudia Hirschey
Roger Loschen	Michael Marchand

**III MINUTES**

**A. REGULAR MEETING:**

Chair Tessandore presented the minutes of the Regular Meeting of October 11, 2005 for review and action by the Board members.

Michael Marchand requested that the location of the Board meeting be included in the Minutes.

*Action: Charles Booth moved and Robert Cook seconded the motion to adopt the minutes of the Regular Meeting of October 11, 2005 as amended to include the meeting location. The Board voted unanimously to approve this record.*

**B. SPECIAL MEETING – PROPOSED CITY OF FAIRWOOD INCORPORATION (FILE NO. 2194):**

Chair Tessandore presented the minutes for the Special Meeting of October 17, 2005 for the review and action by the Board members.

Claudia Hirschey requested that the Minutes be amended to specify that the Board has requested that Berk & Associates include in the financial analysis for the proposed City of Fairwood the estimated costs of transportation projects planned to serve that community.

*Action: Roger Loschen moved and Charles Booth seconded the motion to adopt the minutes (as amended) for the Special Meeting of October 17, 2005. The Board voted unanimously to approve this record.*

**IV. ADMINISTRATION**

**A. CHAIR'S REPORT**

General Business:

Chair Tessandore and Lenora Blauman reported that the Board is currently working on several projects including: (1) coordinating programs with King County Executive/Council Work Program; (2) coordinating activities with the State Association to establish Work Program at Legislature 2006; (3) administration of the proposed Fairwood Incorporation; (4) pre-development review for future Notices of Intention; (5) monitoring of the Year 2006 Budget Proposal; and (6) performance evaluations for Board staff members. Committee members and staff will report on these activities.

State Association: Charles Booth, Chair of the State Association, reported that the organization is actively planning for 2006 programs and activities. The Executive Committee includes:

- Ron Morrison, Clark County, President Elect
- Don Oehler, Whatcom County, President Emeritus
- Douglas Beu, Spokane County, Chair of the Nominations Committee.
- Charles Booth, King County, and Bill Ponder, Spokane County, Co-Chairs of the Legislative Committee
- Ron Hart, Clark County and Roger Loschen, King County, Co-Chairs of the Conference Committee
- Mark Beales, Snohomish County, Chair Education and Training Committee

Susan Winchell, Spokane County, will serve as Legislative Officer. Lenora Blauman will continue to serve as Financial Officer and will also serve as Executive Officer for 2006.

The Executive Committee is planning for an Education & Training Program, in Ellensburg, in Spring of 2006. The Annual Conference is being planned for Clark County in Fall, 2006. The Committee is also scheduling a trip to Olympia in January 2006 to meet with the Legislature.

Booth looks forward to an interesting and productive year with the Association.

## **B. Committee Reports**

Budget Committee: A.J. Culver and Lenora Blauman reported that the Year 2006 Budget Proposal (together with the one-time request for transitional funding) remains under review by the Council Budget Committee. At present the Board's 2006 Budget has been deemed to be complete and has been placed on the Consent Agenda. However, the Council retains the authority to require further documentation of the budget proposal for the Boundary Review Board. The Council will approve the 2006 Budget late in November 2005.

Legislative Committee: Roger Loschen and Charles Booth reported that the State Association of Boundary Review Boards has selected Michael Shaw as the Legislative Consultant to serve the organization at Legislature 2006. Loschen reported that Shaw has considerable experience both as an attorney serving government organizations and as a legislative consultant for agencies administering growth management for cities and other jurisdictions. Loschen stated that Shaw has an excellent understanding of – and respect for – the Growth Management Act.

Shaw will be providing services to the Association in tandem with his representation of the American Planning Association. The common goals and interests of the Association and the American Planning Association should promote effective service to both organizations.

The Association will pay Shaw \$200 per month for his services.

Shaw will be coordinating the visit of the Association to the State Legislature in January 2006.

Nominations Committee: Robert Cook, Nominations Committee Chair, reported that the Committee has met to consider candidates for the positions of Chair and Chair-Elect for the Boundary Review Board for 2006.

The Committee proposes the confirmation of Charles Booth as Chair for 2006 and selection of Michael Marchand as Chair Elect for 2006. Marchand would then serve as Chair of the Board in 2007.

Judy Tessandore invited the Board to consider the Report of the Nominations Committee. She also stated that Board members were welcome to nominate other candidates for the position of Chair and Chair Elect. No other nominations were submitted

*Action: Ethel Hanis moved and Michael Marchand seconded the motion to select Charles Booth as Chair of the Boundary Review Board for 2006. The motion was approved by a vote of 8 in favor. Charles Booth abstained.*

*Action: Evangeline Anderson moved and Ethel Hanis seconded the motion to select Michael Marchand as Chair-Elect of the Boundary Review Board for 2006. The motion was approved by a vote of 8 in favor. Michael Marchand abstained.*

### **C. Executive Secretary's Report**

Fairwood Incorporation Proposal (File No. 2194): Lenora Blauman reported that King County representatives and Berk and Associates have received the Boundary Review Board Report on the "Analysis of the Financial Feasibility of the Proposed City of Fairwood." Berk and Associates is preparing revisions to the document. The revisions will likely be provided by December 15, 2005.

Upon receipt, the document will be transmitted to the Board's Fairwood Incorporation Review Team. The Team will evaluate the document and present a Report to the full Board. The Team's charter was to ensure that the citizens of this community have complete, accurate, and readily understandable data upon which to determine whether the proposed City of Fairwood can generate sufficient operating revenue to provide a reasonable complement of municipal services that are equal to or better than the services that are provided by King County.

When the Team is satisfied that Berk and Associates has provided an Analysis that is sufficiently comprehensive and accurate to permit public understanding of the document, the proposal for incorporation may be brought forward for public review.

The entire Board – together with affected government jurisdictions and citizen groups – will then evaluate and provide comment upon the study through a public review/public hearings process established to consider the incorporation proposal (as prescribed by RCW 35.02, RCW 36.93, et seq.). The Board will then make a decision with respect to the application for a new city. The Board may: (1) decide in favor of the incorporation as proposed; or (2) decide in favor of an incorporation with modified boundaries; or (3) recommend denial of the incorporation.

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Blauman reported that, at present, the City of Renton reportedly prefers simultaneous review before the Board so that the citizens of the area may be able to examine governance options offered by the City of Renton and by a proposed new City of Fairwood. In order to ensure simultaneous review of the incorporation and the annexation, the City will need – and has agreed verbally – to provide a letter to the Board to further extend the permitted review period for the Maplewood Annexation. The extension may be provided to a date certain (e.g., March 31, 2006) or may provide for an open end as necessary to accommodate both the incorporation and the annexation. The City of Renton's letter should be received by the Boundary Review Board no later than November 30, 2005.

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Robert Kaufman, Special Assistant Attorney General, reviewed his Memorandum (dated November 8, 2005) describing the statutes which regulate the review of the proposed Fairwood incorporation and the proposed simultaneous review of the City of Renton Maplewood Annexation. RCW 36.93 permits – but does not require – simultaneous review of the Fairwood incorporation and the Maplewood Addition Annexation.

Kaufman reported that there is no specific statutory guidance or case law to direct the order of hearing and decision processes. However, the law does permit the Board to consider an annexation prior to consideration of an incorporation. This order of hearing would be a sensible organization of the review process.

Kaufman stated that the hearing process is distinct from the decision-making process so that both potential actions may be heard prior to decision-making on the proposed annexation and/or incorporation.

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Blauman reported that, at present, the Board has developed only a preliminary hearing plan and timeline for a review schedule. If Berk and Associates successfully completes revisions in the estimated timeframe, then the Board may be able to conduct public hearings and render decisions for the proposed incorporation in January and/or February 2006.

The Team will provide regular reports to the Board on the status of the review for both the proposed Fairwood Incorporation and the proposed Maplewood Addition Annexation.

#### Governor's Executive Commission Conference (October 31, 2005)

Lenora Blauman reported that she represented the Boundary Review Board at a meeting hosted by the Office of the Governor. The purpose of the meeting was to provide basic orientation about state rules and policies relating to the various boards and commissions existing under the aegis of the State of Washington.

This meeting was also intended to begin the planning process for the agenda for the upcoming Boards and Commissions Conference which will be provided for the board members that have been appointed by the Governor. At present that Conference is slated to include presentations by state officials, discussion of basic laws and rules (e.g., ethics, operations policies); and workshops on topical issues. That Conference will take place on December 15 in Olympia.

#### Klahanie/Greenwood Point/South Cove Annexations:

Blauman reported that preliminary election results indicate that both the citizens of Klahanie and the citizens of Greenwood Point/South Cove support annexation to Issaquah. However, the level of support from Klahanie residents may not be sufficient to constitute the plurality based upon the last general election which is required by state law. Further, while the citizens of Greenwood Point/South Cove voted to accept bonded indebtedness of the City, the residents of Klahanie voted against acceptance of the City's bonded indebtedness.

Issaquah officials have reported that the City will wait until the final vote is certified (approximately 10 days) to determine whether to pursue annexation of Klahanie. City officials and County officials will need to confer as to the status of the Interlocal Agreement by which the County agreed to provide funding to Issaquah based upon the annexation of both Klahanie and Greenwood Point/South Cove.

Blauman will maintain communications with County officials and City officials to determine the status of these actions.

#### **D. CORRESPONDENCE**

General correspondence was reviewed briefly. No questions or issues were raised with respect to the substance of the general correspondence.

### **VI EXECUTIVE SESSION**

Claudia Hirschey, Chair, reported that the Personnel Committee met on October 11, 2005 to conduct a Performance Evaluation for Lenora Blauman. Ms. Hirschey is requesting an Executive Session at this time to discuss matters relevant to the Performance Evaluation.

*Action: Claudia Hirschey moved and Charles Booth seconded the motion for the Board to enter into an Executive Session (5 minutes) for the purpose of considering the Performance Review for Mrs. Blauman. The Board voted unanimously in favor of the motion. The Board entered into Executive Session at 7:50 p.m.*

*Action: Claudia Hirschey moved and Charles Booth seconded the motion for the Board to return to the Regular Meeting at 7:55 p.m. The Board voted unanimously in favor of the motion.*

## **VII NEW BUSINESS**

### **A. NOTICES OF INTENTION**

#### File No. 2211 Southwest Suburban Sewer District – 2005-2 Island Annexation

The Southwest Suburban Sewer District proposes to annex approximately 54.73 acres of land (21 parcels) within the corporate limits of the City of Burien. The 2005-2 Island Annexation is being proposed at this time in order to facilitate the provision of coordinated sewer services to currently developed properties and to new development. Annexation will also provide residents an opportunity to participate in elections for the District.

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Board members presented no substantive questions or comments with respect to this proposed annexation.

#### File No. 2212: Southwest Suburban Sewer District – 2005-1 Island Annexation

The Southwest Suburban Sewer District proposes to annex approximately 41.74 acres of land (131 parcels) within the corporate limits of the City of Des Moines. Properties within the City of Des Moines are designated entirely for residential use and developed with single-family homes. The District also proposes to annex adjacent public right-of-way (First Avenue South) which is located within the corporate limits of the City of Normandy Park.

The 2005-1 Island Annexation is being proposed in order to facilitate the provision of coordinated sewer services to the Area. Annexation will also provide residents an opportunity to participate in elections for the Southwest Suburban Sewer District.

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Board members presented no substantive questions or comments with respect to this proposed annexation.

#### File No. 2213: Cedar River Water & Sewer District – Dorre Don Annexation

The Cedar River Water and Sewer District proposes to annex approximately 69.29 acres within Unincorporated King County. The site is located near to the City of Maple Valley.

The Dorre Don Annexation is being proposed by the Cedar River Water and Sewer District in order to facilitate the provision of coordinated water services to the Area. Currently, the entire Dorre Don Annexation Area receives water from private well systems.

Properties within the Dorre Don Area are designated entirely for residential use. The Area is largely developed with permitted residences. There is a limited number of vacant properties; development of these properties may be prohibited unless a sufficient water supply is available to support residential uses.

Annexation will also provide residents an opportunity to participate in elections for the Cedar River Water and Sewer District.

The Cedar River Water and Sewer District includes the Annexation Area in its Comprehensive Plan. District representatives report that the agency has necessary capacity to provide water service to the Dorre Don Area. No sewer service is provided—or permitted -- to the Dorre Don Area because the properties are outside of the Urban Growth Boundary.

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Board members presented no substantive questions or comments with respect to this proposed annexation.

**B. PENDING FILES**

Auburn	Bellevue	Bothell
Covington	Federal Way	Issaquah
Kent	Kirkland	Redmond
Renton (4 files)	Ronald Sewer District	Sammamish
SW Suburban Sewer District	Tukwila	Woodinville

**VIII. ADJOURNMENT**

*Action: Ethel Hanis moved and Michael Marchand seconded a motion to adjourn the Boundary Review Board Regular Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 8:20 P.M.*